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Paper No. 11

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SEP 10 2002

In re
Orzi, et al.
Reissue Application No. 09/535,827
Filing Date: March 24, 2000
Reissue of Patent No. 5,731,898
Original Issue Date: March 24, 1998
Attorney Docket No. 252/128

OFFICE OF PETITIONS

DECISION ON PETITION

This is in response to the petition under 37 CFR 1.137(b), filed July 22, 2002.

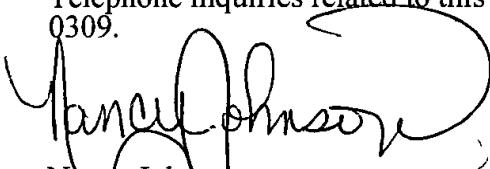
The petition is **GRANTED**.

The above-identified reissue application of patent No. 5,731,898 (Issued March 24, 1998) became abandoned for failure to timely file a proper response to the non-final Office action mailed December 28, 2001. This Office action set a shortened statutory period for reply of three (3) months, with extensions of time permitted under § 1.136(a). No reply having been received and no extensions of time obtained, the application became abandoned effective March 29, 2002. The filing of this petition precedes the mailing of a courtesy Notice of Abandonment.

With the instant petition, the petitioner filed a response to the Office action in the form of an amendment, and met all other requirements for a grantable petition under 37 CFR 1.137(b).

The application file is being forwarded to Technology Center 2872 for consideration of the response to the non-final Office action filed July 22, 2002, an amendment (Paper No. 10).

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-0309.


Nancy Johnson
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy